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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|-------------------------------|------------------|
| 09/824,355 | 04/02/2001 | Edward J. Gottsman | 38836.00.0044 | 7180 |
| 30498 | 7590 | 11/01/2007 | | |
| ACCENTURE C/O VEDDER PRICE KAUFMAN & KAMMHOLZ, P.C. 222 NORTH LASALLE STREET CHICAGO, IL 60601 | | | EXAMINER CORRIELUS, JEAN M | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2162 | |
| | | | MAIL DATE | DELIVERY MODE |
| | | | 11/01/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|-------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 09/824,355 | Applicant(s) GOTTSMAN, EDWARD J. | |
| | Examiner Jean M. Corrielus | Art Unit 2162 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 14 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the Request for reconsideration filed on August 13, 2007, in which claims 1-11 are presented for further examination.

Response to Arguments

2. Applicant's arguments filed August 13, 2007 have been fully considered but they are not persuasive. (See Examiner remark).

Remark

3. Applicant asserted that Benson fails to teach a matrix displayed within a matrix area on a display and therefore fails to anticipate claim 1. In rejecting claim 1 under USC. 102(b), the examiner bears the initial burden of presenting a prima facie case of anticipation. A prima facie case of anticipation is established by presenting evidence that the reference teachings appear to be sufficient for one ordinary skill in the relevant art having the reference before him to make the determination that all the limitations of the claim are met by the teachings of the reference. Furthermore, the conclusion that the claimed subject matter is prima facie of anticipation is supported by evidence, as shown by the teachings in the prior art.

Further, as pointed out by the examiner, one must first determine the scope of the claim. "The name of the game is the claim." In re Hiniker Co., 150F.3d 1362, 1369, 47 USPQ2d 1523, 1529 (Fed. Cir. 1998). The examiner relies upon the teachings of Benson to evidence the anticipation of the claimed invention. Benson, however, discloses a graphic representation display in a position, which corresponds with its actual position and a display/matrix combination that provides both the output and input means, which are variable and depend upon

Art Unit: 2162

the type and location of displayed indicia (col.3, lines 55-67). The examiner has relied upon the teachings of Benson in fig.7 to show a display matrix area having a plurality of cells and a plurality of icons displaying in one or more cells, and Fig.5 for the limitation wherein the matrix including displayed row headings and column headings and each icon corresponding to an element in the database". [Emphasis added.] (See office action below), From the review of Fig.7 and Fig.5 the examiner finds that the displaying in a matrix area on the display a matrix having a plurality of cells and a plurality of icons displayed in one or more of the cells, as teaching the claimed invention, which the examiner finds to be a display 100 that comprises a row headings (A-F) and column headings (1-5), an icon corresponding to an element in the database (see, icons in (cell D-4), icon 158 shown in cell D-I; perimeter sensor icon in cell C-3) in FIG. 7, an icon for the sensor initially appears on display 100, by touching a cell located in the area of the floor plan which corresponds to the physical location.

The examiner maintains that Benson teaches the received icon selection signal in response to a user selecting one of the icons with the user interface selection device". [Emphasis added.] (See office action below). Benson shows in FIG. 5, a display (shown in cell B-1) along with a type icon (shown in cell D-1) by touching the sensor information icon in cell D-4, as shown in FIG. 7); and "in response to the icon selection signal, displaying a corresponding element" (a display would be presented after a user touched the perimeter sensor icon in cell C-3 and sensor information icon in cell D-4 in FIG. 7).

As noted above, the examiner does not find the applicant argument to be persuasive with respect to independent claim 1 and similarly, does not find that it rebuts the prima facie case of anticipation. Therefore, applicant's argument is not persuasive, and the examiner sustains the rejection of independent 1 and those claims grouped therewith by applicants.

The examiner maintains that fig.5 of Benson evidences the anticipation of the invention as recited in dependent claim 2. However, Benson provides a display 100 that comprises a row headings (A-F) and column headings (1-5), wherein each icon of the row and column corresponding to an element in the database (see, icons in (cell D-4), icon 158 shown in cell D-1; perimeter sensor icon in cell C-3), indeed identify subject matter to which the element is related.

The examiner maintains that Benson teaches that the visually perceptive characteristic of one of the icons. (See, the office action below). Benson teaches a exposed visual display adapted to display at least one graphic representation of user identifiable indicia corresponding to physical plan of the monitored area in conjunction with a displayed portion of the sensor network, see col.3, lines 38-42). Therefore, the examiner finds that the teachings of Benson teach the invention as recited in claim 3, and the examiner sustains the rejection of dependent claim 3.

The examiner maintains that Benson teaches that the received from the user a search request input from a user input and the changed of a visually perceptive characteristic of icons that correspond to elements that satisfy the search request. (See, the office action below). Benson controls the system by touching appropriate icon indicia which are presented in response to user input, col.4, lines 1-2); and each icon preferably has one of four brightness levels assignable to it, thereby permitting brightness cycling to provide further information to the user, col.8, lines 40-

Art Unit: 2162

45). Therefore, the examiner finds that the teachings of Benson teach the invention as recited in claim 4, and the examiner sustains the rejection of dependent claim 4.

The examiner maintains that Benson teaches that the periodically changing, without intervention by the user, the element that is displayed. (See, the office action below). Benson teaches that each icon preferably has one of four brightness levels assignable to it, thereby permitting brightness cycling to provide further information to the user, col.8, lines 40-45). Therefore, the examiner finds that the teachings of Benson teach the invention as recited in claim 5, and the examiner sustains the rejection of dependent claim 5.

The examiner maintains that Benson teaches that the element comprises a digital image. (See, the office action below). Benson discloses the icons, for use by any interface module 90, are selected from bit map image files and are also loaded into the database. Each icon preferably has one of four brightness levels assignable to it, thereby permitting brightness cycling to provide further information to the user. Therefore, the examiner finds that the teachings of Benson teach the invention as recited in claim 6, and the examiner sustains the rejection of dependent claim 6.

Art Unit: 2162

The examiner maintains that Benson teaches that the element comprises a textual excerpt. (See, the office action below). Benson discloses a display 100, and text associated with each cells. The invention as claimed does specify whether the text appears in the display 100. Therefore, the examiner finds that the teachings of Benson teach the invention as recited in claim 7, and the examiner sustains the rejection of dependent claim 7.

As for claims 8 and 9, Benson discloses the invention as claimed

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Benson US Patent no. 5,650,800.

As to claim 1, Benson discloses the claimed “displaying in a matrix area on the display a matrix having a plurality of cells and a plurality of icons displayed in one or more of the cells,

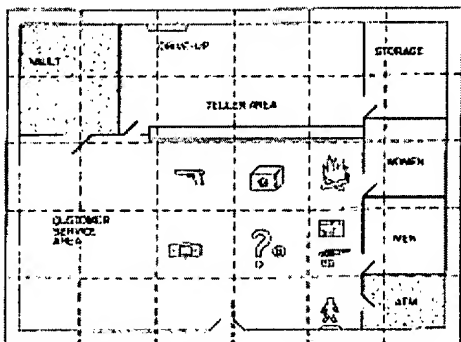
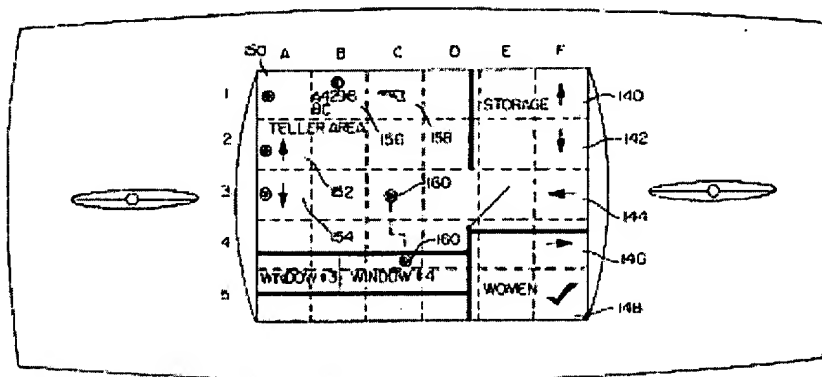


FIG. 7

Art Unit: 2162

The matrix including displayed row headings and column headings and each icon corresponding to an element in the database”

FIG. 5



Wherein the display 100 comprises a row headings (A-F) and column headings (1-5), wherein each icon corresponding to an element in the database (see, icons in (cell D-4), icon 158 shown in cell D-1; perimeter sensor icon in cell C-3)

In FIG. 7, an icon for the sensor initially appears on display 100, by touching a cell located in the area of the floor plan which corresponds to the physical location, While the sensor ID cannot be changed, the installer or user may define the type by cycling through options through pressing);

“receiving an icon selection signal in response to a user selecting one of the icons with the user interface selection device” (as shown in FIG. 5. The sensor ID is displayed (shown in cell B-1) along with a type icon (shown in cell D-1; by touching the and sensor information icon in cell D-4 in FIG. 7); and

“In response to the icon selection signal, displaying a corresponding element” (a display would be presented after a user touched the perimeter sensor icon in cell C-3 and sensor information icon in cell D-4 in FIG. 7).

As to claim 2, Benson discloses the claimed “wherein the row headings identify sources from which the elements are obtained and the column headings identify subject matter to which the elements relate” (Wherein the display 100 comprises a row headings (A-F) and column headings (1-5), wherein each icon corresponding to an element in the database (see, icons in cell D-4), icon 158 shown in cell D-1; perimeter sensor icon in cell C-3).

As to claim 3, Benson discloses the claimed “the visually perceptive characteristic of one of the icons” (the exposed visual display adapted to display at least one graphic representation of user identifiable indicia corresponding to physical plan of the monitored area in conjunction with a displayed portion of the sensor network, see col.3, lines 38-42).

As to claim 4, Benson discloses the claimed “receiving from the user a search request input from a user input device” (and query or control the system by touching appropriate icon indicia which are presented in response to user input, col.4, lines 1-2); and changing a visually perceptive characteristic of icons that correspond to elements that satisfy the search request” (Each icon preferably has one of four brightness levels assignable to it, thereby permitting brightness cycling to provide further information to the user, col.8, lines 40-45).

Art Unit: 2162

As to claim 5, Benson discloses the claimed “periodically changing, without intervention by the user, the element that is displayed” (Each icon preferably has one of four brightness levels assignable to it, thereby permitting brightness cycling to provide further information to the user, col.8, lines 40-45).

As to claim 6, Benson discloses the claimed “wherein the element comprises a digital image” (Icons, for use by any interface module 90, are selected from bit map image files and are also loaded into the database. Each icon preferably has one of four brightness levels assignable to it, thereby permitting brightness cycling to provide further information to the user, col.).

As to claim 7, Benson discloses the claimed “wherein the element comprises a textual excerpt” (fig.7.)

As to claim 8, Benson discloses the claimed “displaying in a title relating to the element” (fig.7); and “displaying in a source location a source of the element” (fig.7).

As to claim 9, Benson discloses the claimed “wherein the user selects the icon by superimposing a pointing indicator on the icon” (col.4, lines 5-9).

As to claim 10, Benson discloses the claimed “Displaying in a file location of the display a file” (The display/matrix combination provides both the output and input means, which are variable and depend upon the type and location of displayed indicia, as a consequence of this

Art Unit: 2162

combination, a user may activate the interface module, enter an appropriate code after the display has presented an entry code matrix, and query or control the system by touching appropriate icon indicia which are presented in response to user input, col.3, lines 60-col.4, line 2).

As to claim 11, Benson discloses the claimed "receiving a search request from a user" (and query or control the system by touching appropriate icon indicia which are presented in response to user input, col.4, lines 1-2); and changing a visually perceptive characteristic of icons that correspond to elements that satisfy the search request" (Each icon preferably has one of four brightness levels assignable to it, thereby permitting brightness cycling to provide further information to the user, col.8, lines 40-45).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

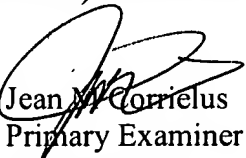
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2162

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032. The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Jean M. Corrielus
Primary Examiner
Art Unit 2162

October 26, 2007